

AMENDED IN SENATE APRIL 16, 2013

SENATE BILL

No. 784

Introduced by Senator Fuller

February 22, 2013

An act to add Section 4646.51 to the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 784, as amended, Fuller. Developmental ~~services~~: *services: individual program plan: planning process.*

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide support and services to individuals with developmental disabilities. *The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP) or individual family service plan (IFSP), developed in accordance with prescribed requirements.*

This bill would require the team developing the IPP or the IFSP to consider the consumer's, and his or her family's, needs related to issues that include nontraditional service hours, flexibility regarding treatment settings, parental participation requirements, and the scope of services available for adult consumers, and the use of treatment interventions, including, among others, center-based intensive behavioral interventions, as defined. This bill would provide that nothing in its provisions shall be construed to alter or impose requirements in addition to the requirements that currently exist under the act.

~~This bill would state the intent of the Legislature to require the department to encourage regional centers to enter into collaborative~~

~~partnerships with community-based organizations and to promote volunteerism.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) It is the intent of the Legislature to provide flexibility to*
- 4 *consumers and their families.*
- 5 *(b) Regional centers, and their providers, should be allowed to*
- 6 *provide appropriate services to consumers and their families in*
- 7 *the most appropriate setting and effective manner possible.*
- 8 *(c) The individual program plan (IPP) and the individual family*
- 9 *service plan (IFSP) should be allowed to consider and implement*
- 10 *services and supports that will meet the individual needs of the*
- 11 *consumer and his or her family.*
- 12 *SEC. 2. Section 4646.51 is added to the Welfare and Institutions*
- 13 *Code, to read:*
- 14 *4646.51. (a) The team developing the individual program plan*
- 15 *(IPP) described in Section 4646, or the individual family service*
- 16 *plan (IFSP) described in Section 95020 of the Government Code,*
- 17 *shall consider the consumer's, and his or her family's, needs*
- 18 *related to issues that include, but are not limited to, the following:*
- 19 *(1) Allowing nontraditional service hours, including weekends*
- 20 *and evenings.*
- 21 *(2) Allowing flexibility with treatment settings.*
- 22 *(3) Allowing flexibility with parental participation requirements.*
- 23 *(4) Allowing flexibility regarding the scope of services available*
- 24 *for adult consumers who choose to live with their families or*
- 25 *relatives, to enable them to obtain appropriate services to enhance*
- 26 *independent skills.*
- 27 *(5) Allowing the use of treatment interventions that may include,*
- 28 *but are not limited to, center-based intensive behavioral*
- 29 *interventions and interventions that include the use of technology*
- 30 *and telehealth.*
- 31 *(b) Because existing law provides for a number of participants*
- 32 *in the IPP and IFSP planning processes, the IPP and IFSP teams*
- 33 *are strongly encouraged to provide for the participation of*

1 individuals in the IPP and IFSP planning processes who, with the
2 consent of the consumer, or his or her designee, can accomplish
3 and implement the objectives in subdivision (a).

4 (c) Nothing in this section shall be construed to alter, or to
5 impose requirements in addition to, the requirements that currently
6 exist under the Lanterman Developmental Disabilities Services
7 Act, or to impose any requirements on regional centers to expand,
8 enhance, or increase any existing programs, services, or supports
9 beyond what is currently required.

10 (d) For purposes of this section:

11 (1) “Center-based intensive behavioral intervention” means
12 the services defined in paragraphs (1) and (2) of subdivision (d)
13 of Section 4686.2, except that the majority of the direct one-to-one
14 intervention is delivered in a clinic or treatment center. Parent or
15 primary caregiver participation in center-based behavioral health
16 treatment occurs at the clinic or treatment center through
17 mandatory meetings and training, as provided in the IPP or IFSP.
18 Center-based services may supplant, but not preclude or require,
19 services that are delivered in the home setting, and are not intended
20 to expand or increase the amount of services available to
21 consumers and their parents or primary caregivers.

22 (2) “Primary caregiver” means an individual who is responsible
23 for rendering assistance in the provision of daily life necessities
24 to an individual who is unable to act on his or her own behalf.

25 ~~SECTION 1. It is the intent of the Legislature to require the~~
26 ~~State Department of Developmental Services to encourage regional~~
27 ~~centers to enter into collaborative partnerships with~~
28 ~~community-based organizations and to promote volunteerism.~~